
BOARD OF SELECTMEN
MARCH 17, 2014

I. Call to Order

Chairman Alex Vispoli reconvened the Regular Meeting of the Board of Selectmen to order at 7:01 P.M. in the Selectmen's conference room in the Town Offices. Present: Chairman Vispoli-Y and Selectmen Paul Salafia-Y, Brian Major-Y, Mary Lyman-Y, Dan Kowalski-Y. Also present: Town Manager Reginald S. Stapczynski. The meeting was duly posted and cablecast live.

II. Executive Session

Chairman Vispoli called the Executive Session to order at 6:15 P.M. in the Selectmen's conference room. Dan Kowalski moved for the Board to enter into Executive Session to discuss real estate valuation and acquisition and to consult with legal counsel and obtain confidential legal advice in accordance with Suffolk Construction vs. Department of Capital Asset Management, and to return to Open Session. The motion was seconded by Brian Major. Roll call: Chairman Vispoli-Y and Selectmen Dan Kowalski-Y, Brian Major-Y. At 7:00 P.M. on a motion duly made and seconded, the Board voted to adjourn from Executive Session not to return. Roll call: Chairman Vispoli-Y and Selectmen Paul Salafia-Y, Brian Major-Y, Mary Lyman-Y, Dan Kowalski-Y.

III. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

Chairman Vispoli led the meeting in a Moment of Silence followed by the Pledge of Allegiance.

IV. Communications/Announcements/Liaison Reports

The Town Manager made the following announcements:

- ~ A Tri-Board meeting will be held on Thursday, March 20th at 7:00 P.M. in the School Committee Room to hear an overview of the Information Technology Department.
- ~ Local Aid increased by \$42,000 with no change in Chapter 70 funds.
- ~ A Solarize Andover meeting will be held on Wednesday, March 26th at 7:00 P.M. in the Public Safety Center. They are working towards having 200 Andover residences sign on.
- ~ Congratulations to the staff at the Water Treatment Plant who were recognized on March 12th by the EPA, Mass DEP and the Mass. Dept. of Energy Resources for their leadership and clean water acceptance.

Town Clerk Larry Murphy reported that the Annual Town Election will be held on Tuesday, March 25th and all precincts will vote at the Collins Field House. The Oath of Office for the elected officials will be held on Wednesday, March 26th at 5:00 P.M. in the Selectmen's conference room.

Selectman Major asked to have an update on the Youth Center Project after the budget meetings have concluded. Selectman Kowalski seconded the request noting this is the first of multiple projects.

Chairman Vispoli commented on the members of the Board who participated in the St. Patrick's Day Parade in Lawrence last Saturday. It was a great day and nice to see the parade back in Lawrence. He also reported that, by tradition, there would be a pre-ambulation scheduled with North Andover, Lawrence, Wilmington, North Reading and Andover where Selectmen meet at the bordering towns to make sure the markers have not moved.

V. Public Hearing

A. National Grid

Selectman Major motioned to approve the request of National Grid for permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: Haggetts Pond Road – Install new 35 ft. class 4 pole and anchor with a 10 ft. lead. The new pole and anchor will be located on the east side of Haggetts Pond Road and will be labeled 3226-84 as shown on Plan #15867797, dated March 7, 2014.

The request has been reviewed and approved by the Municipal Services Director subject to the condition that the petitioner must obtain a street opening permit from the Engineering Division of the Municipal Services Department prior to the commencement of any construction. The motion was seconded by Paul Salafia and voted 5-0 to approve.

VI. Citizens Petitions and Presentations

Mary Carbone, 3 Cyr Circle, commented on problems with the Budget and taxes and asked about the status of the PILOT Program in lieu of taxes for non-taxable institutions. Selectman Salafia said they are negotiating agreements and talks are on-going.

VII. Regular Business of the Board

A. Retired Municipal Teachers Group Health Insurance Proposal – Second Reading

Chairman Vispoli recognized Ken Lombardi, the Town's Insurance Advisor, and Human Resources Director Candace Hall and her staff for the work they have done and time spent responding to questions about the Retired Municipal Teachers Group Health Insurance Proposal. Ms. Hall reported on feedback received from the retired teachers noting that recent retirees have been enrolled in HMO Blue and, therefore, familiar with the plan. It is more difficult for teachers who have been retired for twenty years or more and on an indemnity plan. PEC understands they cannot negotiate for the retired teachers but have asked to meet informally; there is one representative on PEC for the retirees. The Board talked about their concerns which included overall communication of information, the process, the impact and disruptiveness for the amount of savings, the benefits of the savings, and what will be done with the savings.

Mr. Lombardi reminded the Board of the obligation to give the group insurer 90 days advance notice and that goal was July 1st. However, we are not obligated to the July 1st date; it can be rolled out to a later date. Chairman Vispoli prefers to extend the changeover to make sure all concerns are addressed and constituents understand the benefit. Candace Hall said slowing down the process will allow for additional education about the changeover.

Selectman Lyman said PEC was asked to look at health insurance savings and they took the time to move the request forward. The request is backed up by years of research. The Town Manager said it has been a topic of discussion in budget meetings for the last several years. They have no specific use for the savings created by the changeover but many municipalities are earmarking it for OPEB. Delaying the changeover would reduce the amount of savings approximately 25% or less this year. Selectman Salafia said from a fiduciary perspective, we owe it to the taxpayers. Selectman Major said the retirees will have comparable health care coverage at the same or less expense and he does not want to delay the move beyond June 1st with an implementation date of September 1st. If additional public hearings are necessary, he suggested they be scheduled in a timely manner. Frequently asked questions could be put on the website.

Pat Malone, Lupine Road, said the process is extremely inadequate and the new insurance plan is not nearly the same as what they have with Unicare. Tom Malone, Lupine Road, said there are many retirees who have not been heard from.

Selectman Major motioned for the Board to authorize the move of the Retired Teachers out of the GIC effective September 1, 2014 and to notify the GIC of this change by May 31, 2014. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

B. 2014 Annual Town Meeting Warrant

1. Board discussed and voted on the following warrant articles:

~ P-66 – Andover Dog Park Appropriation (P)

On a motion by Selectman Major and seconded by Selectman Lyman the Selectmen voted 5-0 to recommend approval of article #66 – the Andover Dog Park appropriation in the amount of \$60,000.

~ P-67 – Andover Dog Park – Dog License Fees (P)

On a motion by Selectman Major and seconded by Selectman Lyman the Selectmen voted 5-0 to recommend approval of article #67 Andover Dog Park – Dog License Fees.

~ P-65 Constitutional Amendment – Corporate Political Contributions and Spending

The Selectmen chose to hold on this article.

~P-64 – Abandon Old Layout of Lowell Junction Road (P)

The Selectmen chose to hold on this article.

~P-11A through P-11F

On a motion by Selectman Major and seconded by Selectman Lyman, the Selectmen voted 5-0 to recommend approval of Articles 11A through 11F.

~P-12 Granting Easements

On a motion by Selectman Major and seconded by Selectman Kowalski, the Selectmen voted 5-0 to recommend approval of Article 12, Granting Easements.

~P-14 Chapter 90 Authorizations

On a motion by Selectman Major and seconded by Selectman Salafia, the Selectmen voted 5-0 to recommend approval of Article 14, Chapter 90 Authorizations.

~P-15 Jerry Silverman Fireworks

On a motion by Selectman Major and seconded by Selectman Kowalski, the Selectmen voted 5-0 to recommend approval of Article 15, Jerry Silverman Fireworks in the amount of \$14,000.00.

~P-17 Elderly/Disabled Transportation Program

On a motion by Selectman Lyman and seconded by Selectman Salafia, the Selectmen voted 5-0 to recommend approval of Article 17, Elderly/Disabled Transportation Program in the amount of \$8,000.00.

~P-18 Support for Civic Events

On a motion by Selectman Major and seconded by Selectman Kowalski, the Selectmen voted 5-0 to recommend approval of Article 18, Support for Civic Events in the amount of \$5,000.00.

~P-20 Ledge Road Landfill Stabilization Fund

On a motion by Selectman Major and seconded by Selectman Lyman, the Selectmen voted 5-0 to recommend approval of Article 20, Ledge Road Landfill Stabilization Fund in the amount of \$1,000,000.

~P-21 Bond Premium Stabilization Fund

On a motion by Selectman Major and seconded by Selectman Lyman, the Selectmen voted 5-0 to recommend approval of Article 21, Bond Premium Stabilization Fund in the amount of \$600,000.

~P-29 Sidewalk Construction, Holt Road

On a motion by Selectman Lyman and seconded by Selectman Major, the Selectmen voted 5-0 to recommend approval of Article 29, Sidewalk Construction –Holt Road in the amount of \$138,000.

~P-38 Spring Grove Cemetery Maintenance

On a motion by Selectman Major and seconded by Selectman Salafia, the Selectmen voted 5-0 to recommend approval of Article 38, Spring Grove Cemetery Maintenance in the amount of \$6,000.00.

~P-39 GIS Data Update

On a motion by Selectman Major and seconded by Selectman Salafia, the Selectmen voted 5-0 to recommend approval of Article 39, GIS Data Update in the amount of \$30,000.

~P-41 Water & Sewer Rate Study

On a motion by Selectman Major and seconded by Selectman Lyman, the Selectmen voted 3-2 to recommend approval of Article 41, Water and Sewer Rate Study in the amount of \$100,000.

~P-42 Fire Hydrant Infrastructure Maintenance

On a motion by Selectman Major and seconded by Selectman Kowalski, the Selectmen voted 5-0 to recommend approval of Article 42, Fire Hydrant Infrastructure Maintenance in the amount of \$500,000.

~P-44 Petition Legislature –Health Insurance Benefits for Elected Officials

On a motion by Selectman Major and seconded by Selectman Kowalski, the Selectmen voted 5-0 to recommend approval of Article 44, Petition Legislature – Health Insurance Benefits for Elected Officials.

~P-50 General Bylaw Amendment-Animal Control

On a motion by Selectman Lyman and seconded by Selectman Major, the Selectmen voted 5-0 to recommend approval of Article 50 General Bylaw Amendment-Animal Control.

~P-51 Schematic Design-Andover High School Additions and Renovations

On a motion by Selectman Major and seconded by Selectman Salafia, the Selectmen voted 5-0 to recommend not to insert Article 51 Schematic Design, AHS Additions and Renovations.

~P-52 Water Storage Tank Transfer

On a motion by Selectman Lyman and seconded by Selectman Salafia, the Selectmen voted 5-0 to recommend approval of Article 52, Water Storage Tank Transfer in the amount of \$37,862.97.

~P-53 Exempt Debt Premium

On a motion by Selectman Major and seconded by Selectman Salafia, the Selectmen voted 5-0 to recommend approval of Article 53, Exempt Debt Premium.

~P-54 Land Acquisition-Chandler Road

On a motion by Selectman Lyman and seconded by Selectman Kowalski, the Selectmen voted 5-0 to recommend approval of Article 54 Land Acquisition-Chandler Road.

~P-59 Stabilization Fund Bond Premium

On a motion by Selectman Major and seconded by Selectman Salafia, the Selectmen voted 5-0 to recommend approval of Article 59 Stabilization Fund Bond Premium in the amount of \$116,500.

2. The Board of Selectmen discussed and voted 5-0 to insert the following articles on a motion by Mary Lyman seconded by Paul Salafia.

~P-55 Zoning Bylaw Amendment-Special District Regulations – Medical Marijuana Treatment Facility

~P-56 Medical Marijuana Overlay District River Road

~P-57 Medical Marijuana Overlay District Lowell Junction Road

~P-58 Medical Marijuana Overlay District Dascomb Road

~P-60 Water Maintenance in the amount of \$300,000

VIII. Consent Agenda

A. Outdoor Licensing Licenses

1. Ultimate Perk

Selectman Major motioned to approve the request of James Hadad, II, 9 Marion Avenue, Andover, d/b/a Ultimate Perk, Inc., 96½ Main Street, Andover, applying for an Outdoor Dining license at 96½ Main Street for 4 tables, 8 seats from April 1, 2014 – October 31, 2014, 6:00 A.M. to 5:00 P.M. The request has been reviewed and approved by the Town Clerk with the following conditions: 1) that all other requirements of the Town are met prior to the issuance of the license; and 2) that a maximum of 10 seats combined indoor and outdoor seating. The motion was seconded by Selectman Kowalski and voted 5-0 to approve.

2. Brasserie 28

On a motion by Selectman Kowalski and seconded by Selectman Lyman, the Board of Selectman voted 5-0 to approve the request of Morello Hospitality Group, LLC, d/b/a Brasserie 28, 2 Elm Square, Andover, for an Outdoor Dining license at 2 Elm Square for 16 tables, 32 seats along Main Street from April 1, 2014 – October 31, 2014, 12:00 P.M. to 1:00 A.M. The request has been reviewed and approved by the Town Clerk with the following conditions: 1) that all other requirements of the Town are met prior to the

issuance of the license; and 2) that Outdoor Seating Area B along Post Office Avenue complies with Zoning Board of Appeals Special Permit Decision #3940.

B. Appointments & Re-Appointments

On a motion by Selectman Lyman and seconded by Selectman Salafia, the Board unanimously voted to approve that the following appointments by the Town Manager be approved:

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>MEMORIAL HALL LIBRARY</u>			
Anna Tschetter	Teen/Reference Staff Librarian (v. B. Shoostine)	IE20-1/\$54,418	3/31/14

HOUSING PARTNERSHIP/FAIR HOUSING COMMITTEE

William Ahearn – Term expires 6/30/14 (v. E. Belansky)

INFORMATION TECHNOLOGY ADVISORY COMMITTEE

Mark D. Steffenson – Term expires 6/30/16

On a motion by Selectman Lyman and seconded by Selectman Salafia, and voted unanimously that the following Selectmen re-appointment be approved:

BOARD OF REGISTRARS

Gerald F. Gustus – Term expires 3/31/17

IX. Adjournment

At 9:59 P.M. on a motion by Brian Major and seconded by Paul Salafia, the Board unanimously voted to adjourn from the Regular Meeting.

Respectfully submitted,

Dee DeLorenzo
Recording Secretary

Documents: 2014 Preliminary Warrant
Outdoor Dining License Application – Brasserie 28
Outdoor Dining License Application – Ultimate Perk
Memo from Town Clerk re: Re-appointment of Gerald F. Gustus to the Board of Registrars
Public Hearing Notice – National Grid re: Haggetts Pond Road